

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

NELSON R. LYNCH,	)	
	)	
Petitioner,	)	
	)	
vs.	)	NO. CIV-06-0099-HE
	)	
JUSTIN JONES,	)	
	)	
Respondent.	)	

**ORDER**

Petitioner, a state prisoner appearing pro se, seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Consistent with 28 U.S.C. § 636(b)(1)(B), the matter was referred to Magistrate Judge Valerie K. Couch who issued her Report and Recommendation, recommending that the petition be denied. In particular, Judge Couch determined that petitioner's trial and appellate counsel were not ineffective and that his arrest and the search of his vehicle did not violate his Fourth Amendment rights. In addition, Judge Couch determined that petitioner's claim of an unlawful sentence did not warrant habeas corpus relief. The matter is currently before the court on petitioner's objection to the Report and Recommendation.<sup>1</sup>

Having considered the matter de novo, the court concurs with Judge Couch's conclusion that petitioner is not entitled to habeas corpus relief. Accordingly, the Report and


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<sup>1</sup>*Because petitioner has objected to the Report and Recommendation, the matter is reviewed de novo. 28 U.S.C. § 636(b)(1)(C).*

Recommendation is **ADOPTED** in its entirety. Petitioner's petition for writ of habeas corpus is **DENIED**.

**IT IS SO ORDERED.**

Dated this 28<sup>th</sup> day of July, 2006.



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JOE HEATON  
UNITED STATES DISTRICT JUDGE